IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7561 of 2006()

CC.440/2005 of J.M.F.C.-I, KANNUR
CRIME NO.521/05 OF KANNUR TOWN POLICE STATION.

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PETITIONER/ACCUSED

V.P.FAROOQUE, S/O.V.HAMZA,
AGED 30 YEARS, VAYAL PURAYIL HOUSE,
CHIRAKKARA, THALASSERY.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENT: COMPLAINANT

S.I. OF POLICE, KANNUR TOWN,
IN CR.NO.521/05, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7561 OF 2006

DATED THIS THE 21ST DAY OF DECEMBER, 2006

O R D E R

Petitioner seeks anticipatory bail on the ground that non-bailable warrant of arrest has been issued against him by the J.F.C.M.-I, Kannur in C.C.No.440/05 which is pending before that court for an offence punishable under section 420 read with section 34 IPC. The case originated from Crime No.521/05 of Kannur Town Police Station.

2. In as much as non-bailable warrants of arrest are pending against the petitioner, anticipatory bail cannot be granted so as to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed after considering the grievance of the petitioner that he did not receive summons in the case.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn